

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. *(currently amended)*: A method for determining ~~obtaining~~ a prognosis for a human subject who has ~~having~~, or is at risk of developing, an inflammatory condition, the method comprising determining in a nucleic acid sample from the subject a genotype of said subject at one of two polymorphic sites in the subject's thrombomodulin gene at position 5318 or at position 4007 of SEQ ID NO:1, wherein
  - (a) said genotype is indicative of ~~an~~ the subject's ability to recover from the inflammatory condition which is SIRS, sepsis or septic shock, and
  - (b) the relationship between the nucleotide at said position and the prognosis is as follows:
    - (i) at least one A nucleotide at position 5318 or at least one C nucleotide at position 4007 are risk genotypes prognostic of a decreased ability to recover; and
    - (ii) a C nucleotide at position 5318 or a T nucleotide at position 4007 are protective genotypes prognostic of an increased ability to recover.
2. *(currently amended)*: The method of claim 1, wherein the prognosis is determined by determining the polymorphic site is genotype at position 5318 of SEQ ID NO:1.
3. to 5. **Canceled**
6. *(currently amended)*: The method of claim 1 ~~claim 2~~, further comprising determining the sequence of thrombomodulin sequence information for in the subject.
7. **canceled**
8. *(currently amended)*: The method of claim 1 ~~claim 7~~, further comprising a step of obtaining ~~the obtaining a~~ nucleic acid sample from the subject.

9. *(currently amended)*: The method of claim 1, wherein ~~said determining of the~~ genotype comprises employs one or more of the following techniques:

- (a) restriction fragment length analysis;
- (b) sequencing;
- (c) hybridization;
- (d) oligonucleotide ligation assay;
- (e) ligation rolling circle amplification;
- (f) 5' nuclease assay;
- (g) polymerase proofreading methods; and
- (h) allele specific PCR; ~~and~~
- (i) ~~reading sequence data.~~

**10. canceled**

11. *(currently amended)*: The method of claim 1 ~~claim 10~~, wherein the subject is critically ill and a determination that the subject has the risk genotype is prognostic indicative of a prognosis of severe cardiovascular or respiratory dysfunction in said inflammatory condition.

**12. to 13.. canceled**

14. *(currently amended)*: The method of claim 1 ~~claim 13~~, wherein the subject is critically ill, and a determination that the subject has the protective genotype is prognostic indicative of a prognosis of increased ability to recovery from mild less severe cardiovascular or respiratory dysfunction present in said inflammatory condition compared to a subject with the risk genotype.

**15. to 16. canceled**

17. *(previously presented)*: The method of claim 1, wherein the inflammatory condition is SIRS.

**18 to 23. canceled**

24. *(withdrawn; currently amended)*: A method for selecting a group of subjects for determining the efficacy of a candidate drug ~~as known or suspected of being useful for the treatment of an inflammatory condition, the method comprising determining a prognosis in accordance with claim 1 genotype for one or more polymorphic sites in the thrombomodulin sequence for each subject, wherein said genotype is indicative of the subject's ability to recover from the inflammatory condition~~ and sorting subjects based on their genotype into groups.

25. *(withdrawn; currently amended)*: The method of claim 24 further comprising, administering the candidate drug to the subjects or a subset of subjects sorted in accordance with claim 24 and determining each subject's ability to recover from the inflammatory condition when compared to subjects not given the candidate drug.

**26. to 36 CANCELED**